

City of Detroit


CITY COUNCIL

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TO: The Honorable City Council

FROM: David Whitaker, Director 
City Council Research and Analysis Division Staff

DATE: August 30, 2007

RE: **DAMAGE TO FIRE HYDRANTS DUE TO THEFT FOR SCRAP METAL
and IDENTIFYING MARKS ON CITY OF DETROIT PROPERTY**

Your Honorable Body requested the Research and Analysis Division (RAD) to review the City Code to determine whether an amendment is necessary to make it unlawful to harvest scrap metal from fire hydrants rendering them inoperable. Based upon our review, a minor, but necessary revision is suggested to Chapter 19 *Fire Protection and Prevention*, Article III "Fire Prevention Code," Division 3 "General Fire Safety Regulations," to add a new section pertaining to fire hydrants.

Fire Protection and Prevention Ordinance

Under Chapter 19 *Fire Protection and Prevention*, there are sections making it unlawful to obstruct operations of the fire department while extinguishing a fire, cross fire line barriers, operate fire alarms if there is no fire emergency, or interfere with fire hose lines. (Sec. 19-3-50) However, there is no provision making it unlawful to interfere with, destroy or remove parts from, or tamper with a fire hydrant.

Attached is a proposed, amended Chapter 19 *Fire Protection and Prevention*, Article III "Fire Prevention Code," Division 3 "General Fire Safety Regulations," Section 50 "General authority to combat fire and related emergencies," to add a new subsection (h), as follows:

(h) *Fire hydrant, interfering with, destruction or tampering.* No person shall render a fire hydrant inoperable by interfering with, destroying, removing, or tampering with a fire hydrant or any of its components, or in any other manner rendering a fire hydrant inoperable, without the express authority of the City of Detroit Fire Department.

This language corresponds with the other subsections in Section 50 and easily resolves Council's goal of apprehending thieves who endanger the safety of entire communities in the event of a fire. While other, more general criminal theft laws may apply; this new subsection specifically addresses fire hydrants.

The penalty for violating this proposed section is encompassed under Chapter 1, *General Provisions*, Section 9, "General penalty," which provides a violation shall be punishable by a fine not exceeding \$500 or by imprisonment not to exceed 90 days, or both in the discretion of the court. Also, each day a violation exists shall constitute a separate offense.

Scrap Metal/Junk Dealers Ordinances

The recently amended sections of Chapter 49 *Secondhand Goods* regarding scrap metal processors and junk dealers are sufficient to deter dealers and processors from *receiving* scrap metal as it makes it unlawful to accept materials:

(2) Due to identification on an article or material, or to the type of article or material, the scrap iron and metal processor would have knowledge that the article or material is, or was, the property of a governmental entity, unless the person delivering the article or material presents a written receipt or other documentation which indicates where the person obtained the article or material;

(Sec. 49-8-10(b)(2). Similar language in Junk Dealers ordinance, Sec. 49-7-10(b)(2))

This language already makes it unlawful for a junk dealer or scrap processor to receive fire hydrants or parts thereof, if the parts are identifiable as City of Detroit property. RAD does not believe any amendments are necessary to these ordinances for the purpose of prosecuting those who render fire hydrants inoperable.

Identifying Marks on City Property

Your Honorable Body also asked RAD to explore whether an amendment to the City Code is necessary to ensure that City of Detroit property and components parts have an identifying mark so that the scrap processors and junk dealers would be on notice that they are receiving potentially stolen property. Since 1984, Finance Directive 95 has been in place that requires tagging and etching of City of Detroit equipment (see page 2 of Directive, attached). This directive appears to be in place for inventory purposes and should serve as an identifier for scrap processors and junk dealers as well.

RAD was advised that Mr. Saied Rouhani of the Finance Department who manages the capital assets process and taggable equipment is the contact person if Council requires further information regarding Directive 95.

We hope this information and proposed amended ordinance is satisfactory. We would be happy to answer any questions or concerns.

S U M M A R Y

This proposed ordinance amends Chapter 19 of the 1984 Detroit City Code, 'Fire Prevention and Protection,' by amending Article III, 'Fire Prevention Code,' by amending Section 19-3-50 to add subsection (h) making it unlawful to render a fire hydrant inoperable by interfering with, destroying, removing, or tampering with a fire hydrant or any of its components.

1 **BY COUNCIL MEMBER ALBERTA TINSLEY-TALABI:**

2 **AN ORDINANCE** to amend Chapter 19 of the 1984 Detroit City Code, '*Fire*
3 *Prevention and Protection*,' by amending Article III, 'Fire Prevention Code,' by amending
4 Section 19-3-50 to add subsection (h) making it unlawful to render a fire hydrant inoperable
5 by interfering with, destroying, removing, or tampering with a fire hydrant or any of its
6 components.

7 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:**

8 **Section 1.** Chapter 19 of the 1984 Detroit City Code, '*Fire Prevention and*
9 *Protection*,' be amended by amending Article III, 'Fire Prevention Code,' by amending
10 Section 19-3-50 to read as follows:

11 **ARTICLE III**

12 **FIRE PREVENTION CODE**

13 **DIVISION 3. GENERAL FIRE SAFETY REGULATIONS**

14 **Sec. 19-3-50. General authority to combat fire and related emergencies.**

15 (a) *General authority to combat fire and related emergencies.* The fire official
16 conducting operations in connection with the extinguishment and control of any fire,
17 explosion or other emergency shall have full power and authority to direct all operations of
18 fire extinguishment or control and to take the necessary precautions to save life, protect
19 property and prevent further injury or damage. In the pursuit of such operation, including the
20 investigation of the cause of such emergency, the fire official may control or prohibit the
21 approach to the scene of such emergency by any vehicle, vessel or thing and all persons.

22 (b) *Obstructing operations, fire and related emergencies.* No person shall obstruct

1 the operations of the fire department in connection with extinguishing any fire, or actions
2 relative to other emergencies, or disobey any lawful command of the fire official in charge
3 of the emergency, or any part thereof, or any lawful order of a police officer assisting the fire
4 department.

5 (c) *Establishment of fire line barriers, authority.* The fire official in charge at an
6 emergency scene shall have the authority to establish fire line barriers to control access in
7 the vicinity of such emergency and to place, or cause to be placed, ropes, guards,
8 barricades or other obstructions across any street or alley to delineate such fire line barrier.
9 No person, except as authorized by the fire official in charge of the emergency, may cross
10 such fire line barriers.

11 (d) *Fire line passes.* The fire marshal is authorized to issue passes entitling the
12 holders thereof to cross fire line barriers. Such passes shall not authorize trespass at the
13 scene of an emergency. Credentials which clearly establish the authority and identity of the
14 holder thereof to enter the premises, whether or not issued by the fire marshal, may be
15 honored by the fire official in charge of the emergency scene if concurred with by the person
16 in charge of the premises, involved in the emergency.

17 (e) *Authority to secure and control fire official.* No person except a person authorized
18 by the fire official in charge of an emergency scene or a public officer acting within the
19 scope of public duty shall remove, unlock, destroy or tamper with or otherwise molest in any
20 manner any locked gate, door or barricade, chain, enclosure, sign, tag or seal which has
21 been lawfully installed by the fire department or by its order or under its control.

1 (f) *Fire alarm telegraph, personnel authorized to operate.* No person, other than the
2 fire commissioner or officers and employees specially authorized to operate the fire alarm
3 telegraph in the city or to use the same for instruction or drill, shall use the fire alarm
4 telegraph system except to communicate an actual alarm of fire or an emergency requiring
5 fire department or police department response.

6 (g) *Fire hose, interfering with.* No person shall in any manner molest or interfere with
7 any fire hose or fire hose lines which may be laying in any public street or alley and which
8 are being used in aiding in the extinguishing of fires.

9 (h) *Fire hydrant, interfering with, destruction or tampering.* No person shall
10 render a fire hydrant inoperable by interfering with, destroying, removing, or
11 tampering with a fire hydrant or any of its components, or in any other manner
12 rendering a fire hydrant inoperable, without the express authority of the City of
13 Detroit Fire Department.

14 Secs. 19-3-51 – 19-3-61. Reserved.

15 **Section 2.** All ordinances, parts of ordinances, or resolutions that are in conflict with
16 this ordinance are repealed.

17 **Section 3.** This ordinance is declared necessary for the preservation of the peace,
18 health, safety, and welfare of the People of the City of Detroit.

19 **Section 4.** This ordinance shall become effective sixty (60) days after publication
20 in accordance with Section 4-115 of the 1997 Detroit City Charter.

1 Approved as to form only:

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John E. Johnson

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Corporation Counsel

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Finance Department
1110 City-County Building
Detroit, Michigan 48226

Coleman A. Young, Mayor
City of Detroit

August 3, 1984

Finance Directive No. 95

To: ALL DEPARTMENT HEADS, BOARDS AND COMMISSIONS

From: Bella I. Marshall, Finance Director *BIM*

Re: Taggable Equipment Inventory

The forms, procedures and reports which are used in the City's Taggable Equipment Inventory System are being modified. These modifications are necessary to meet reporting requirements specified by federal grant agencies and to provide a larger number of location codes. The revised forms will be distributed for use during the week ending August 10, 1984.

Attached to this communication is a set of guidelines for the new Taggable Equipment Inventory System and a set of instructions for processing the new forms.

Upon distribution of the new forms, the old forms will be obsolete and must no longer be used. The Finance Department will process the old forms until August 17, 1984. After that time only the new forms will be accepted.

As soon as the Finance Department has completed processing all of the old forms, a special report will be generated and distributed which will show existing information for all taggable equipment with blank spaces for grant information. All agencies which have equipment which was purchased with grant funds are to fill in the grant information on this report and return the report to Ed Brown at the Finance Department Equipment Inventory Desk, 801 City County Building, by September 30, 1984.

Bella I. Marshall
Finance Director

August 3, 1984

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Using the special report, all agencies should take a physical inventory of their taggable equipment and prepare the appropriate Equipment Disposition Report to transfer equipment to the proper location code and delete equipment which has been disposed of, but which is still on the inventory listing. This should be completed by December 31, 1984.

Any questions regarding this communication should be directed to Edwin Riske at 224-3281.


Bella I. Marshall
Finance Director

August 3, 1984

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TAGGABLE EQUIPMENT INVENTORY SYSTEM
INSTRUCTIONS FOR USE OF REVISED FORMS

AUGUST, 1984

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General Information

Effective immediately, all equipment having a unit acquisition cost of \$150.00 or more must be tagged and an Equipment Acquisition Report (Form C of D 257-RE-A) must accompany the payment document which is forwarded to Voucher Audit.

The Finance Department, Voucher Audit Division has been instructed not to process payments for taggable equipment unless an acquisition report is attached. It is the agency's responsibility to affix a City of Detroit inventory tag to the equipment at the time that the acquisition report is being prepared.

It is necessary for City agencies to tag all equipment acquired and to maintain Taggable Equipment Records on all such items. Equipment with a unit cost below \$150.00 may be expensed when purchased and will not be considered taggable equipment. However, such lower cost items should be etched or other wise permanently marked as City property.

DEFINITIONS

Property Tag: An adhesive backed mylar tag, containing the legend "Property of the City of Detroit" and a six digit number is the identifier attached to all taggable equipment. These tags are obtained from the Finance Department Accounting Section Inventory Unit, 801 City County Building, 224-7235.

Equipment Acquisition Report: Form C of D 257-RE-A, a three part 8-1/2" by 11" prenumbered form, is the basic record of taggable equipment acquisitions. This form is acquired from the Finance Accounting Inventory Unit.

Equipment Disposition Report: Form C of D 257-RE-D, a three part 8-1/2" by 11" prenumbered form, is the record which reflects the sale, transfer and/or other disposition of City equipment. This form is acquired from the Finance Accounting Inventory Unit.

Physical Inventory: Each City agency is required to take a complete physical inventory of all taggable equipment at least once every two years and to reconcile to the Taggable Equipment Inventory Records.

Taggable Equipment Summaries: The Finance Department will prepare and distribute summaries of taggable equipment by agency at least once each year. Copies of these summaries will be forwarded to City agencies for review and reconciliation with Taggable Equipment Inventory Records.

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Location Codes: The revised Taggable Equipment Inventory System uses a six digit location code. Agencies can devise their own coding system, however, the information of what codes are going to be used should be given to the Finance Department so that the proper titles can be established in the system. Call Ed Brown at the Finance Department Equipment Inventory Desk, 224-7235, to add titles to the system.

Acquisitions: Equipment is acquired through purchase, donations, confiscations or in-house manufacture. Equipment acquired through the use of federal or state grants must be properly identified as to funding source. Unless specifically exempted, equipment acquired with federal funds will be subject to reversion to the funding source after its use is completed by the City.

Dispositions: Dispositions are made through the sale of the item, scrapping, transfer to another City Agency, reclaimed by the federal government, trade-in, theft or other mysterious disappearances and by transfers within the agency.

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Grant Agency Acronyms

Federal:

Economic Development Administration	FED-EDA
Housing and Urban Development	FED-HUD
Department of Labor	FED-DOL
Environmental Protection Agency	FED-EPA
Department of Transportation	FED-DOT
Department of Energy	FED-DOE
National Endowment of Arts	FED-NEA
Health and Human Arts	FED-HHS
National Council of Senior Citizens	FED-CSC
U.S. Department of the Interior	FED-INT
Federal Highway Administration	FED-FHA

State:

Michigan Council of the Arts	MICH-MCA
Michigan Department of Public Health	MICH-MPH
Michigan Health-Office of Substance Abuse	MICH-OSA
Michigan Department of State	MICH-MDS
Bureau of Community Services	MICH-BCS
Department of Social Services	MICH-DSS
Michigan Civil Service Commission	MICH-MCS
Michigan Office of Highway Safety	MICH-OHS
Michigan Department of Natural Resources	MICH-DNR
Michigan Department of Transportation	MICH-DOT

Other:

Detroit Area Agency on Aging	DET-DAA
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EQUIPMENT ACQUISITION REPORT

An Equipment Acquisition Report must be prepared for each item of equipment acquired. If several like items are purchased on one purchase order they may be reported together on one acquisition report. The Equipment Acquisition Report is filled out and the white copy is to be attached to the FICS 110, Delivery Receiving Report and Purchase Order Liquidation, which is forwarded to Voucher Audit. Failure to attach the Equipment Acquisition Report to the FICS 110 document will result in denial of payment by Voucher Audit until the Report is received.

The following fields on the form must be completed:

Agency Number: Insert the two character FICS agency number.

Agency Name: Insert the name of the agency receiving the equipment.

Item Location: Insert the street address, building name and room number where the equipment will be located. Large agencies may wish to maintain a sub-category of records by location within the agency.

Acquisition Date: Insert the date on which the equipment was delivered to the agency.

Item Code: Insert the Item Code from the Classification of Equipment Manual. (To be updated, last revision is 1956).

Item Description: Insert a brief description of the item. Begin with the generic name of the equipment followed by descriptive information i.e. TYPEWRITER ELECTRIC IBM SELECTRIC II.

Item Condition: Insert "N" if the item is new, "U" if the item is used.

Acquisition Code: Insert the Acquisition Code using the codes shown in note 2 on the Acquisition Report. (i.e. 00-Purchase Order, 01-Contract, 02-Imprest Cash, etc.)

Funding Code: Insert the Funding Code using the codes shown in note 3 on the Acquisition Report. (i.e. 01-City, 02-Fed, etc.)

Funding Source: Fill in this field only if a federal or state grant is the source of funds for the equipment acquired. Use initials or acronyms to identify the agency which is the source of funds. A list of acronyms is in the appendix.

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Percentage of Contribution - Federal: Equipment which is acquired in part or wholly with federal funds must show the percent of federal participation in the cost of acquisition. (i.e. 0% = 000, 10% = 010, 50% = 050, 100% = 100.)

Percentage of Contribution - State: Equipment which is acquired in part or wholly with state funds must show the percent of state participation in the cost of acquisition. (i.e. 0% = 000, 10% = 010, 50% = 050, 100% = 100.)

Grant Number: Fill this out only if a federal or state grant is the source of funds for acquisition. Use the Number assigned by the Federal or State grant agency.

Purchase Order Number: Insert the Purchase Order Number so that all spaces are filled. Insert zeros as needed i.e. A00001, A00123, A12345 or the appropriate letter followed by five (5) digits.

Depreciation Percent: Insert the depreciation rate as follows showing the numbers only: Wood Item 10.00, Metal Item 05.00, Automotive 25.00, Office Equipment 10.00. 10.00 is for items with a useful life of 10 years, 05.00 is for items with a useful life of 20 years, and 25.00 is for items with a useful life of 4 years.

Agency-Cost Center-Object-Detail: Insert the FICS account codes from the Purchase Order, Contract, Imprest Cash Order, etc.

City of Detroit Tag Number: Insert the tag number in the first six spaces provided. In the case of heavily used equipment where affixing a tag is not possible, insert the last six digits of the serial number followed by the letter "S". For automobile code numbers insert the letter "M" after the six digits of the vehicle code number.

Serial Number or Federal Stock Number: Insert the number as shown on the equipment or invoice. If acquired from a federal source and there is no serial number, use the federal stock number prefaced by the letters "USA".

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Location Code: Insert the location code for the item. The existing three digit codes should be prefixed by three zeros. (i.e. 000123) Any agency which has a need for a new code which uses all six available digits should contact the Finance Department - Equipment Inventory Desk at 224-7235, Mr. Ed Brown.

Acquisition Unit Cost: Enter the acquisition cost of each piece of equipment. Round to the nearest whole dollar amount. DO NOT USE CENTS.

Receiving Department: The individual who prepares the form should legibly sign their name and insert their phone number and the date that the form is prepared. This could be the Unit Supervisor or staff member of the stores office.

Distribution: The WHITE copy of the Equipment Acquisition Report should be attached to the copy of the FICS 110 Delivery Receiving Report and Purchase Order Liquidation which is sent to the Voucher Audit Section of the Finance Department for the processing of payment to the vendor. The YELLOW copy should be maintained in the agency's central files, and the PINK copy should be maintained by the unit supervisor in a file at the location with the equipment.

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EQUIPMENT DISPOSITION REPORT

Transfer to a New Location

The Equipment Disposition Report should be processed any time that equipment is transferred between agencies or if the equipment is moved to a new location code within an agency.

The following information must be completed:

Transaction Type: Check the box marked "Transfer".

Disposition Code: Insert the appropriate disposition code as shown in note 1 at the bottom of the form. (DO NOT USE CODES 07 thru 13).

Disposition Date: Enter the date on which the transfer of equipment took place.

Agency Number: Insert the FICS agency number from which the equipment is being transferred.

Agency Name: Insert the corresponding agency name.

Item Location: Enter the description of the location from which the equipment is being transferred.

Transferred to Agency Number: Insert the FICS agency number for the agency to which the equipment is being transferred.

Transferred to Agency Name: Insert the name of the agency to which the equipment is being transferred.

Transferred to Item Location: Insert the description of the location to which the item is being transferred.

Sold/Return to - Name of Buyer: LEAVE BLANK.

Sales Release Number: LEAVE BLANK.

City of Detroit Tag Number: Insert the tag number of the item which is being transferred.

From Location Code: Insert the location code from which the item is being transferred. (This code should correspond to description Item Location.)

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To Location Code: Insert the location code to which the item is being transferred. (This code should correspond to description of transferred to Item Location.)

Sales Price: LEAVE BLANK.

Item Description: Insert a short description of the item which is being transferred. (Copy description from central file yellow copy or unit supervisor's pink copy.)

Disposing Department: This area should be completed by the agency from which the equipment is being transferred. The individual completing the form should legibly sign their name and insert their phone number and the date that they completed the form.

Receiving Department: This area should be completed if the equipment is being transferred between agencies. An individual in the receiving agency should legibly sign their name and insert their phone number and the date that they completed the form indicating that the agency acknowledges the receipt of the equipment.

Distribution: The WHITE copy of the completed form should be sent to the Finance Department - Accounts Division - Equipment Inventory Desk. The YELLOW copy should be sent to the Receiving Department to be maintained in the central files with the Yellow copies of the original acquisition report. The PINK copy of the original acquisition report should also be kept in by Disposing Department's Central File. A copy of the yellow copy sent to the Receiving Department should be given to the unit supervisor of the receiving department.

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EQUIPMENT DISPOSITION REPORT

Deletion of an Item

An Equipment Disposition Report must be prepared to remove an item from the inventory any time that an item is sold, used as a trade-in, returned to the grantor agency or is reported as scrapped, stolen or missing.

The following fields must be completed:

Transaction Type: Check the box marked "Deletion".

Disposition Code: Insert the appropriate code as indicated in No. 1 at the bottom of the form. (Use one of the codes from 07 thru 13, or code 16).

Disposition Date: Insert the date on which the item was removed from the City property inventory. If unknown, use the date item was reported as removed. Be as accurate as possible.

Agency Number: Insert the FICS agency code for the agency which is removing the item from the inventory system. Note: This must be in agreement with the latest Taggable Equipment Inventory System records as the time that the item is being deleted.

Agency Name: Insert the corresponding agency name.

Item Location: Insert the current location of the item which is being deleted from the file.

Transferred to Agency Number: LEAVE BLANK.

Transferred to Agency Name: LEAVE BLANK.

Transferred to Item Location: LEAVE BLANK.

Sold/Returned To: If the item was sold or used as a trade-in insert the name of the buyer of the equipment. If the item was returned to a grantor agency insert the name of the federal or state agency to which the item was returned.

Sales Release Number: If the item was sold insert the sales release number. Other LEAVE BLANK.

City of Detroit Tag Number: Insert the tag number of the item which is to be deleted from the file.

From Location Code: Insert the latest location code for the item to be deleted from the file. NOTE: this number must match the latest Taggable Equipment Inventory Supply records.

To Location Code: LEAVE BLANK.

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Sales Price: If the item was sold insert the sales price. If the item was used as a trade-in insert the trade in allowance given for the item. If the equipment is scrapped or otherwise removed from the system LEAVE BLANK.

Item Description: Insert a short description of the item which is being deleted from the file. (Copy the description from central file yellow copy or unit supervisor's pink copy.)

Disposing Department: The person who approved the deletion of the item must legibly sign their name and insert their phone number and the date that they prepared the form.

Receiving Department/Federal Agency or Buyer: If the item has been sold or transferred to a grantor agency, the form should be legibly signed by a representative of the buyer or that agency and the date that the individual signs should be inserted on the form.

Distribution: The WHITE copy of the completed form should be sent to the Finance Department, Accounts Division, Equipment Inventory Desk. The YELLOW and PINK copies of the completed form should be maintained by the disposing agency in a central file along with the YELLOW and PINK copies of the equipment acquisition report. (The PINK copy must be retrieved from the unit supervisor.)